IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(beaven01.002)

Applicant:	Douglas F. Beaven, et al.	**Confirmation No:**	1530
Application No:	10/765,424	**Group Art Unit:**	3623
Filed:	1/27/04	**Examiner:**	Deshpande, Kalyan K.

Title: *System for performing collaborative tasks*

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Commissioner for Patents
Alexandria, VA 22313-1450

Reply under 37 C.F.R. 41.41

This *Reply* is in response to Examiner's *Answer*, filed 12/12/2007, in the *Appeal* in the above application. The purpose of this *Reply* is to deal as succinctly as possible with a central issue of the *Appeal* and the *Answer*, namely whether the combination of Bhaskaran, U.S. Patent 6,157,915, with Official Notice that "it is old and well-known in the art to submit a model to be executed by a processor" (*Answer*, p.7) discloses claim 37's "representation of a model of the collaborative activity" or claim 37's description of the relationship between the "graphical user interface for the system" and the "representation of [the] model of the collaborative activity".

The "representation of the model of the collaborative activity" and the "graphical user interface" in claim 37

Claim 37 sets forth the "representation of [the] model of the collaborative activity" as follows:

> the representation being accessible to a processor, the model of the collaborative activity including model entities (4009, 4109, 4013, 4015) that are organized into hierarchies (4011, 4111) and provide access to information (4017) concerning the collaborative activity,
>> the model entities having types including
>>> a goal model entity type (4013), model entities of the type representing goals and/or projects of the collaborative activity and

an initiative model entity type (4109), model entities of the type serving to relate goal model entities across the model, and
the hierarchies including
a goal hierarchy (4011) whose members include at least one goal model entity, a given goal model entity belonging to only a single goal hierarchy and
an initiative hierarchy (4111) whose members include at least one initiative model entity, each initiative model entity being capable of having as children one or more initiative model entities and/or one or more goal model entities from one or more of the goal hierarchies;

Claim 37 sets forth the relationship between the graphical user interface and the "representation of the model" as follows:

a graphical user interface for the system (4601) which the processor provides to the persons, the graphical user interface permitting a person of the persons to perform operations on a model entity including creating (5001), modifying (p. 20, line 20), and/or deleting (p. 20, line 30) the model entity, assigning the model entity to a parent in a hierarchy (4701), accessing and/or modifying the information concerning the collaborative activity via the model entity (4625), and viewing model entities in a hierarchy of the hierarchies to which the model entities belong (4613).

Examiner's rejection requires that Bhashkaran disclose *every one* of the limitations of the "representation of the model of the collaborative activity set forth in claim 37 other than that the "representation of the model" is "accessible to a processor" and *every one* of the limitations concerning the relationship between the graphical user interface and the model set forth in the claim.

Bhaskaran's failure to disclose the limitations of claim 37

Bhaskaran does not disclose the limitations of claim 37. As is most clearly set forth at Bhaskaran, col. 7, line 40 - col. 8, line 49, what Bhaskaran discloses is a system which permits entities belonging to a supply chain to collaborate in dealing with changes in demand or in the capacity of the entities to meet the demand. The entities making up the supply chain have access to active documents, to synchronous and asynchronous collaboration modes between the entities, and to a supply capability engine (SCE) which is a constraint-based supply chain planning and optimization tool. When circumstances require a change in the supply chain, the entities belonging to the supply chain use the collaboration modes to discuss the matter, then modify the active documents to deal with

the change, and finally run the SCE on the modified active documents. As shown in the flowchart of FIG. 9, the above process may be repeated until a satisfactory result is reached. When the result is reached, the active documents indicate to the entities making up the supply chain what their current role in the supply chain is.

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The only component of Bhaskaran's system which can reasonably be regarded as "a representation of a model of the collaborative activity" is the collection of active documents, with individual active documents being taken as "model entities". At this point, the attempt to read Bhaskaran onto Applicants' "representation of a model of the collaborative activity" collapses. The GUIs of FIGs. 3 and 3A do not show a hierarchical organization of the active documents and there is no indication elsewhere in Bhaskaran that the active documents are "organized into hierarchies", as required by claim 37. There is further nothing in Bhaskaran which indicates that the active documents have types corresponding to claim 37's "goal model entity type" or "initiative model entity type", and because the active documents neither have these types nor are organized into hierarchies, there is nothing in Bhaskaran corresponding to claim 37's goal and initiative hierarchies. Finally, as would be expected by the fact that Bhaskaran's active documents are not organized into hierarchies and as is confirmed by the GUIs of FIGs. 3 and 3A, there is nothing in Bhaskaran's GUI which permits a user to assign an active document to a parent in a hierarchy or to view active documents in hierarchies. Because all of the foregoing is the case, the combination of Bhaskaran with Official Notice does not disclose all of the limitations of claim 37 and Examiner has consequently not made the *prima facie* case required for a rejection of claim 37 under 35 U.S.C. 103.

25 *Bhaskaran's FIG. 1*

In his rejections (*Answer*, page 7), Examiner finds the "representation of the model of the collaborative activity" in Bhaskaran's FIG. 1, described at col. 3, lines 43-59. The problem with this is that FIG. 1 is merely presented as an *example supply chain*. There is nothing in Bhaskaran that indicates in any way that FIG. 1 represents a component of Bhaskaran's system. Put more positively, the GUI shown in FIGs. 2-4 and 6-8 shows the active document, synchronous and asynchronous collaboration modes between the

entities, and supply capability engine (SCE) components of Bhaskaran but does not show any of the elements of FIG. 1. The only conclusion that can reasonably be drawn from the complete failure of any of the elements of FIG. 1 to show up in the GUI of FIGs. 2-4 and 6-8 is that FIG. 1 does not represent a component of Bhaskaran's system.

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Conclusion

In the foregoing, Applicants have once again demonstrated that the combination of Bhaskaran with Official Notice that "it is old and well-known in the art to submit a model to be executed by a processor" does not disclose all of the limitations set forth in claim 37, which is the only independent claim in the application. That being the case, Examiner has not established the *prima facie* case of obviousness required for a rejection of claim 37 or of any claim dependent from claim 37. In restricting the foregoing argument to the rejection of claim 37, Applicants are further not conceding the correctness of any other rejection or argument made by Examiner in his *Answer*. Applicants respectfully request that the Board reverse Examiner's rejections of Applicants' claims for the reasons set forth in the *Appeal Brief* and the *Reply* and return the application to Examiner for further processing in light of the reversal. No fees are believed to be required for this *Reply*. Should any be, please charge them to deposit account number 501315.

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